

signal) conveyed by a data medium, and by restricting of reproduction or decoding of one or more regions within a frame (i.e., protection against decoding or reproduction of a particular spatial segment of the signal) recorded on the medium.

The Official Action

In the outstanding Official Action, the Examiner asserts that, while the claims are not anticipated by Kilbel (U.S.P. 5,214,556), which fails to teach the concept of protection position information, the protection data of Abecassis (U.S.P. 5,434,678) are specific to each of one or more predetermined regions within each of a sequence of one or more predetermined sequential frames of the video signal.

The Examiner states that implementing a particular form of degradation of an existing data stream during reproduction is not recited in the rejected claim(s), and particularly notes that “Figures 2 and 3 of [the ‘678 reference to] Abecassis illustrate that the main data 301 is reproduced with variable reproduction protection (319, 329, 339) by applying reproduction protection to the process of reproducing an existing entertainment item 303 at position 3ii.”

Traverse

It is respectfully submitted that, unlike applicant’s invention which relates to limiting reproduction of a particular program based on particular protection data, the ‘678 reference provides a plurality of “non-sequentially stored parallel, transitional, and overlapping video segments from a single *variable content* program source” (Abstract, lines 4-6). That is, rather than picking a *portion* (whether a time portion or a spatial portion) of a particular program, from a *recorded* medium, the ‘678 reference selects among various *alternative* sources, in a *transmitted* program for “automatic transmission of the selected segments” (lines 8-9).

In other words, the '678 reference permits a "screenwriter" (col. 1, line 49) to have the flexibility of "editing a variable content program" (col. 1, line 68-col. 2, line 1).

The '678 reference is thus related to a system which *assigns* specific codes to represent program content (col. 9, lines 33-34) to permit additional selection by a viewer (col. 9, line 37) rather than to a system which acts in response to data to *limit* reproduction or decoding, based on particular protection data as recited by applicant's claims.

Accordingly, although the outstanding Official Action asserts that protection processing is shown in the '678 reference by reference to 319, 329 and 339 and to item 303 at 3ii, in fact the reference teaches to the *contrary*.

More specifically, as noted above, although Abecassis appears to provide classification data, any "limitation" on reproduction requires "additional selection by the viewer" (col. 9, lines 36-37) -- i.e., any such "limitation" is *implemented by the user!* In other words, the cited portion merely teaches that data is provided which is intended "to provide for the *option of editing -out* the explicit bloodshed in a variable content program" - by a user, as disclosed at (col. 9, lines 56-68).

It is noted that applicant's claims are not directed to a "content descriptive structure" (col. 9, line 67) as illustrated by 329 in the reference, but to method, medium and apparatus for limiting decoding or reproduction based on protection data. Thus, even if (*arguendo*) the concept of protection data were to include the "content descriptive structure" of the reference, it is courteously submitted that nothing in the portion referenced by the pending Action provides the processing necessary for limitation of decoding or reproduction of portions of the main data based on such protection data.

Moreover, nothing in the reference even suggests, much less discloses, the concept of

restricting of reproduction or decoding of one or more regions within a frame, as required in claim 39 for example.

Claim 39, 41, 43, 45 and 47 explicitly refer to the predetermined data portions of claims 18, 19, 20, 21 and 22 at which reproduction protection is provided as representing “one or more predetermined regions within each of a sequence of one or more predetermined sequential frames of said video signal”. Thus, reproduction of a region within one or more frames is protected -- a concept nowhere addressed by the cited portion of the ‘678 reference.

Once again, the reference emphasizes *transmission* of the data (e.g., col. 10, line 58), rather than use of a data recording medium, with reference to providing “each viewer the opportunity to define a personalized video content preferences” (col. 10, lines 63-64).

It is thus clear that, while the reference relates to labeling of portions of a transmitted data stream to permit a user to define content preferences, the disclosure thereof referenced in the Action fails to address the concept of apparatus, medium or method for limiting reproduction or decoding of data from a recording medium.

As noted during prior prosecution, the user’s preferences are required to have been specified beforehand to an apparatus which, rather than degrading reproduction of particular portions of the data stream, will generate a specific data stream representing an appropriate version of the entertainment item, with such a version being referred to by Abecassis as a “program”.

In other words, while the present invention implements a particular form of degradation of an existing data stream during reproduction, Abecassis creates a fresh content data stream, by variably selecting from multiple content segments in accordance with the pre-stored user preferences, and reproduces the entire new content data stream, without any degradation. See

col. 5, lines 15-22.

Referring again to the portion cited in the Action, for example to the illustration shown in Figs. 3A to 3E of Abecassis, a particular scene 3 consists of five segments as shown in Fig. 3A. The second segment has three alternative versions, i.e., the segment 311 which contains "explicit bloodshed", the segment combination (322, 322) which contains "no bloodshed", and the segment combination (331, 332, 333) which contains "graphic bloodshed". By appropriately processing a "variable content program" shown in Fig. 3C, which contains all of the individually numbered video frames constituting all of the various segment versions, to select those segment versions that are in accordance with the preferences of the user, a transmission stream can be derived as shown in Fig. 3E, conveying a program that is in accordance with the preferences of the requesting user, with the sets of video frames constituting the respective segments having been appropriately spliced to provide seamless continuity. The resultant data stream can then be supplied to a reproduction apparatus, so that the entertainment item can be viewed by the user.

Thus, as described in the paragraph beginning at col. 9, line 56, the Abecassis approach is to insert new linkages or transitions from one segment to another, thereby creating a data stream which did not previously exist but was created to meet the user's stored preferences.

Such generation is clearly set forth at col. 10, lines 56-59 of the reference, which discloses that "The processing architecture selecting the desired segment from the read stream 341 to generate a transmission stream 342 of the desired frames 351A-353A at a rate of 30 frames per second." A similar description is found at col. 18, lines 2-5.

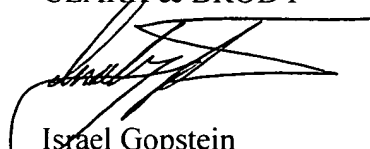
Inasmuch as the reference thus describes a system for generating, selecting and combining specific sets of data, and for transmitting the selected/combined data via a type of broadcasting system, but fails to teach any method, medium or apparatus for protection

processing of particular data which are provided by data recording medium, it is courteously submitted that the '678 reference, even when combined with the other art of record, fails to support the rejection set forth in the Action.

Particularly, it is again noted that while the present invention relates to the use of a data recording medium in its usually accepted sense, such as disks of various forms, tapes, etc., the '678 reference is based on a data transmission system.

In view of the foregoing, it is respectfully submitted that reconsideration and withdrawal is in order for the rejection set forth in the outstanding Official Action. Upon such withdrawal, it is further submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. In order to expedite resolution of any remaining issues and further to expedite passage of the application to issue, the Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number if any further comments, questions or suggestions arise in connection with the application.

Respectfully submitted,
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